KRESGE 5 & 10 Store, Louisville, Ky.
Linda WASHINGTON, LEFT
JIMMY BRADEN, Right

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—Louisville Defender Photo

WHAT'S WRONG WITH THIS PICTURE?

The Last Straw At Soda Fount!

The sweet picture of two innocent children shown above was taken in a Louisville, Ky., store last month.

Unfortunately, there is a stupid and ugly story attached to it.

Both tots are drinking root beer. But one has a glass mug; the other a paper cup. A happenstance? No. It is the policy of the store, one of the Kresge chain, to serve Negroes drinks only in paper cups.

"We used to didn't serve them at all until about three months ago. If they don't want us to serve them at all, well, it's just all right with us," was the store manager's justification of the practice.

FLASH!

Aubrey Williams, S.C.E.F. president, and Gov. Talmadge of Ga., will debate "Segregation in Public Schools," Monday, Oct. 12, 8:30 p. m., E.S.T., on the DuMont Television network, originating in Washington, D. C. Call your local station; ask them to carry it.

Peonage: New South, Old Sin

The face of the rural South has changed a lot in recent years. There are more cars, more tractors, more electric lights, more fertile fields, more children in school. But can it be denied, amidst this progress, that the Negro is still often sweated and starved? That in some places his life is worth less than a dog's?

Sumter County in Alabama is a fairly typical sector of the Southern area called the "Black Belt." It is located in the southwest end of the state and adjoins Mississippi. It has about 22,000 inhabitants, three-fourths of whom are Negro. Cotton was supreme there until much of the thick dark earth was scraped away to limestone bone. Now beef cattle are a major source of revenue.

On September 4 six Sumter County farmers and one from Portersville, Miss., were indicted in federal court in Birmingham for bringing into involuntary servitude, slavery, and peonage three Negroes and for kidnapping a fourth.

This story on peonage was submitted to the SOUTHERN PATRIOT by a resident of Sumter County, Alabama.

The defendants are all members of the same family: Grady, Robert M., Oscar E., and Fred Dial, brothers; Wingard Dial, a first cousin; Arthur A. Dial, a second cousin, and Charles Harper, an in-law.

The 12-count indictment charges that these events took place:

Coy Lee Tanksley was held in peonage from January 1 to June 1, 1953. In January Oscar Dial secured Tanksley's release from the Lauderdale County jail in Meridian, Miss., by paying his fine and brought him to work on his farm in Sumter County. A week later Oscar Dial bound Tanksley hand and foot and beat him with a lariat. Three weeks later Oscar and Fred Dial tied a chain around Tanksley's neck and beat him again. In June he was taken back to Mississippi. (A check at the jail revealed that Tanks-

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City Solons Play with 'Colored Blocks'

City ordinances requiring segregation make sorry reading, at best. The spectacle of lawful authority stooping and stretching to plug every possible means of communication between races is unsettling, if not nauseous.

But the law in Greenville, S. C., deserves notice, because it reaches a new nadir. Not only does it demand separate accommodations and buildings but it designates city blocks as "White" and "Colored."

With uncommon obtrusiveness, it requires licenses to be obtained before church services can be held and makes segregation a condition for receiving the license.

We are indebted to John Bolt Culbertson, Greenville attorney and SCEF board member, for the following excerpts from this remarkable law:

"Purpose of Preceding Sections. It is the intent and purpose of the three preceding sections to provide for the separation or segregration of races in the City of Greenville. Certain blocks as such as are defined in the section entitled 'Block Defined' are to be set apart and designated 'Colored Blocks,' and certain other blocks as therein defined are to be set apart and designated as 'White Blocks.' So long as a block is a 'Colored Block' it shall not be used in the various manners set forth by white people, and so long as it is designated a 'White Block' it shall not be so used by colored people. . .

"Segregation of Races in Matter of Churches. No building, or portion of a building, in the City of Greenville, not already so used, shall be used as a church, or for the purpose of conducting religious services, without a permit to be issued by the Inspector of Buildings. In the application for said permit, the applicant shall state whether said building, or portion of a building, is to be used by white or colored persons, and no permit shall be granted for such use of any building, or portion of a building, by white persons in a colored block or by colored persons in a white block. . ."

Although the law's incompatibility with several Supreme Court decisions may occur to laymen, it was drafted in the relatively late and presumably civilized year of 1944.

'Where Peonage Exists Society Is Guilty'

(Continued from Page 1.)

ley had been fined on a drunk charge—$10.25.)

John Henry Lowe was compelled to labor "by force, beatings, assaults, threats, and intimidation'" for the period January 1 to April 14, 1953.

On Christmas Eve, 1951, Oscar Dial forced Matthew Williams into a pickup truck at Portersville, Miss., and drove him to a clubhouse in Sumter County. There three of the Dials and Charles Harper tied Williams up, took off his pants and beat him. They then carried him to the highway, leaving him with the remark that they "guessed they had gotten $15 worth out of him." (This comment seems to indicate that the Dials had earlier paid some fine for Williams, possibly at one of the rural justice of the peace courts.)

On March 28, 1953 Fred Dial secured the release of Herbert Thompson from a Lauderdale County penal camp. (He had been sentenced to 90 days and fined $100 plus $20.25 costs for assault and battery.) Thompson was taken to Dial's farm. On May 7 Thompson ran away but was caught by Fred and Oscar Dial, tied to a bale of hay and beaten with a lariat. Not only did the Dials inflict blows, but Negro laborers present were forced, at gunpoint, to join in. Thompson was then carried to one Grant Hopson's house, where, two days later, he died.

The death of Thompson, as such, was beyond the province of the grand jury. It could only bring charges under the existing federal civil rights statutes—counts which entail maximum penalties of five years in prison and $5,000 fine for each offense.

The Sumter County solicitor, Marcus McConnell, Jr., who would normally institute criminal proceedings, told the press he had called for an investigation into Thompson's death. "But," he said, "a state toxicologist found that the Negro died of natural causes"—pneumonia.

At a funeral home in York, Ala., Thompson's family was told that he had run off from the county penal farm and that in fording a stream to elude bloodhounds he had caught pneumonia. But some weeks previously the family had gone to the prison to visit Thompson and were told by the warden that he had been released and his whereabouts were unknown. After a show of reluctance, the undertaker permitted the family to view the body. It was, they said, a mass of pulp on the back with blisters as large as one's finger. On the front of the legs there were broad bands of bruises as if something had been driven over them. The upper legs were livid and distended almost to bursting. A Mississippi police officer who also viewed the body said it looked as if Thompson had been beaten with barbed wire.

Solicitor McConnell said he grew up with the Dials and knows them well. "I am sorry they find themselves in such a predicament." He called them "just poor ignorant boys."

The late father of the four "poor ignorant" Dial brothers, who range in age from 25 to 44, reportedly owned a 2,000-acre farm. He is also said to have bought each of his sons 400 acres as they came of age. Their holdings in cattle and cotton land were called "mammoth" by the Birmingham News.

The standard wage for Negro labor in Sumter County is $2 a day, "from sun to sun." According to a newspaper editor in the region, many sharecroppers are forced to work the landowner's crop for "just the bread to put in their mouths."

In Orangeburg County, S. C., a five-year old Negro girl gained notice by picking 50 pounds of cotton her very first day in the fields. And last month, in Dillon County, S. C., a 12-year old girl and her brother, age 2, were killed by a truck as they were en route to join their family in the cotton fields.

It seems incredible that anyone should need to ransom prisoners to obtain workers. But a venerable Negro lawyer said the practice had been common in the area since he had moved there—45 years ago. "The only unusual thing about this case is that a fuss is being made about it," he commented bitterly.

Although an Alabama law permitting prisoners to work for those who pay their fines was invalidated by the Supreme Court in 1914, police and jail officials in Mississippi and Alabama were apparently not informed of it.

The necessity to dragoon labor seemed to arise from the lone weapon the landless, voteless, unlettered Negro had: the boycott. By word of mouth, acts of excessively cruel or greedy landowners were made known and when planting, chopping or picking time came, these landowners found themselves looking out at empty fields.

A white native asserted that peonage and "rough stuff" were no longer as common as in former years. "There used to be a joke around here. When a nigger disappeared, folks said he went North—they meant the north forty acres. There are a lot of old wells around here," he said. "Nowadays all but a few families have gotten smart."

But it is a question whether economics and not "smartness" has brought a change. With the shift in emphasis from cotton to cattle, the lessening need for field labor has sharply cut whatever bargaining power the Negro possessed. He has no choice but to work for the harsh and penurious master; nor has the steady emigration of Negroes been sufficient to bring supply and demand into line.

According to the civil-rights law expert, Robert K. Carr, "the prosecution never proceeds with any assurance in a peonage case." Specific evidence must exist that the master is using indebtedness to exact labor from the peon; the victims, usually ill-educated and fearful, make poor witnesses; the victims, usually Negro, are put in the position of testifying against whites.

The anti-slavery section of the federal civil-rights code has been invoked successfully only once since the formation of the Justice Department's Civil Rights Section in 1939. It and the peonage act were drafted in 1866 and their out-of-date wording makes them unwieldy.

Carr says that peonage complaints were once more numerous than any other type, but, by 1945, had slacked off sharply. He attributes this decline to wartime prosperity. But perhaps Justice Department policy of keeping prosecutions to the minimum, coupled with the difficulty of getting convictions, has discouraged the filing of complaints by individuals and citizen groups. In the period 1941-47 charges were brought in 20 cases and convictions obtained in one-half of them.

As for reports from the FBI which Carr says are a major source of Civil Rights Section information, perhaps the energies of that police body have been directed to other fields, particularly wartime and postwar security matters. In 1951 a Senate Labor subcommittee heard extensive testimony about widespread peonage in Laurens County, Georgia, but no charges were filed.

In the last analysis, however, peonage and kindred crimes are not primarily a federal responsibility. More clearly than with other transgressions, where peonage exists the whole community is guilty. For peonage means that a society has so completely denied its protection to a racial or economic group that the unscrupulous and brutal employer feels free to seize upon that group.

SCEF PRESIDENT URGES PROBE OF PEONAGE

The following letter was sent to the governor of Alabama by Aubrey Williams, Montgomery publisher, who is president of the SCEF.

September 15, 1953

My Dear Governor:

Recently newspapers published the story of an indictment by a federal grand jury of seven persons from Alabama and Mississippi on charges of holding Negroes in slavery.

This case is unusually shocking because of the charge in the indictment that one Negro man died after having been bound and whipped at gun point. However, it should be pointed out that debt-slavery is not unusual in the South. There is evidence to indicate that peonage may be the rule rather than the exception in large rural areas of many of our southern states.

A few years ago, a convention of Georgia Baptists reported:

"Peonage or debt slavery has by no means disappeared from our land. There are more white people involved in this diabolical practice than there were slaveholders. There are more Negroes held by these debt-slavers than were actually owned as slaves before the War Between the States. The method is the only thing which has changed."

This would be an appropriate time for you as Governor of Alabama to use the resources at your command to investigate the extent to which such practices prevail in our own state of Alabama.

Sincerely,
AUBREY WILLIAMS

GOVERNOR GORDON PERSONS
Capitol Building
State of Alabama
Montgomery, Alabama

Last month a traveler along the Gulf Coast of Mississippi, Alabama and Florida found three Coca-Cola dispensers of the type pictured above. This shot, taken in Mobile, Ala., disputes the argument that Coke distributors supply machines with Jim Crow water spigots because other soft-drink firms do.

UNION RESISTS JIM CROW TRY

An attempt to reverse the non-segregation policy of the United Packinghouse Workers backfired on a Southern union leader.

Adrian McKinney, director of UPWA's "Deep South" District 9, reportedly sided with a "lily-white" faction in the eight-state area. He touched off wide protest when he asked Negro members to leave an Atlanta union function which for the past four years had been open to all, regardless of color.

Jack Telfer, UPWA program coordinator, led the protest. Last month, in Jacksonville, Fla., he was beaten up by four thugs in front of a CIO hall.

But formal charges have been lodged against McKinney, asserting that he engaged in a "positive conspiracy to undermine and sabotage" the union's fair-treatment program. And national UPWA president, Ralph Helstein, declared in Chicago that "any attempt to split union membership along racial lines or any other lines is a direct sell-out to the bosses and endangers the life of this union."

White Politicoes Speak Against Bias

A member of the East Baton Rouge Parish (La.) Democratic committee took the unprecedented step last month of naming a Negro to serve as deputy in a parish primary election.

His indignant fellow members refused to let the appointment stand and demanded his resignation.

But J. Ashton Greene, an import-export agent, not only refused to quit but offered a resolution calling for reaffirmation of belief in the democratic way of life.

The motion failed of passage, 6-4.

* * *

After a series of losing battles to preserve segregation in his state's various institutions, Oklahoma Attorney General Mac Q. Williamson has seen the light.

He stunned the Oklahoma City Real Estate Board last month when he said:

"Racial segregation in housing and education is virtually dead. You may as well give up the fight to prevent colored tenants from buying in any district they choose.

"The federal constitution is plain on the subject.

"There can be no discrimination against any citizen of the United States, because of race, color or previous condition of servitude."

TRENDS

Protest has been filed in Washington against a multi-million dollar federal assistance grant for slum clearance in Birmingham.

The plans presently call for removal of 2,000 Negro families and the building of a medical center, park and shopping district—all for whites only.

* * *

Last month Everett Lee of Cleveland conducted the Louisville Symphony in a special concert. The Europe-trained musician is believed to be the first Negro ever to lead an all-white orchestra in the South.

* * *

The National Foundation or Brotherhood, Inc., was formed last month with Edward R. Dudley, former U.S. ambassador to Liberia, as president.

The group hopes to provide financial aid for civil rights organizations through solicitation of gifts and by a products-underwriting program.

On a royalty basis it will lend its imprimature to commercial goods meeting its standards.

* * *

The justices of the U.S. Supreme court were denounced as "ministers of miscegenation" in a speech by a staunch Alabama Dixiecrat, Horace C. Wilkinson. He proposed that the states enter into a compact to preserve segregated public schools.

The address, given before two Mobile civic clubs, was—believe it or not!—in commemoration of Constitution Day.

* * *

Suit was filed in Petersburg, Va., last month to gain for Negroes the right to swim in a municipally owned lake . . . A 12-man interracial committee was appointed in Baton Rouge, La., to study demands that Negroes be admitted to city park golf courses. A suit impends . . . In Birmingham, when it looked as if the local baseball team might win the right to play against a Texas League team which has Negro members, the city city council was ready to abolish an ordinance that banned interracial athletic competition. But the baseball team lost, and the move was abandoned. On such whims hinge so many oppressive statutes!